Case 1:22-cv-00147-JLT-EPG Document 21 Filed 03/30/23 Page 1 of 5 Tanya E. Moore, SBN 206683 1 MOORE LAW FIRM, P.C. 2 300 South First Street, Suite 342 San Jose, California 95113 Telephone (408) 298-2000 Facsimile (408) 298-6046 3 E-mail: service@moorelawfirm.com 4 5 Attorney for Plaintiff Darren Gilbert 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 DARREN GILBERT, Case No. 1:22-cv-00147-JLT-EPG 12 SECOND STIPULATION TO MODIFY Plaintiff, SCHEDULING ORDER AND CONTINUE VS. 13 **MID-DISCOVERY STATUS** 14 MOHAMED N. ZOKARI, individually and **CONFERENCE**; **ORDER** dba NUNES MARKET, et al., 15 (ECF No. 20) Defendants. 16 17 18 19 20 21 22 23 24 25 26 27 28

Case 1:22-cv-00147-JLT-EPG Document 21 Filed 03/30/23 Page 2 of 5

1	WHEREAS, a Scheduling Order issued in this action on June 3, 2022 (Dkt. 9);		
2	WHEREAS, the Court previously modified the Scheduling Order, upon the stipulation		
3	of Plaintiff, Darren Gilbert ("Plaintiff"), and Defendants Mohamed N. Zokari individually and		
4	dba Nunes Market, and Tina Zokari (collectively "Defendants" and together with Plaintiff, "the		
5	Parties"), such that among other deadlines, the fact discovery cutoff is now May 26, 2023 (Dkt.		
6	16);		
7	WHEREAS, a Mid-Discovery Status Conference in this matter is currently set for April		
8	4, 2023 before Magistrate Judge Erica P. Grosjean (Dkt. 16);		
9	WHEREAS, a Settlement Conference in this matter is currently set for May 2, 2023		
10	before Magistrate Judge Sheila K. Oberto (Dkt. 18);		
11	WHEREAS , the Parties have engaged in settlement discussions whereby on August 31,		
12	2022, Plaintiff provided Defendants a settlement proposal including a list of the injunctive relief		
13	he is seeking to resolve this action, namely removal of the alleged barriers to his access at the		
14	Facility;		
15	WHEREAS, on October 3, 2022, Defendants provided a redline of the proposed		
16	settlement agreement, which redlines Plaintiff approved on October 5, 2022, and therefore the		
17	Parties have reached an agreement in principle as to the scope and timeline for appropriate		
18	injunctive relief;		
19	WHEREAS, on October 5, 2022, Plaintiff relayed a monetary demand for resolution of		
20	his claims for damages under the California Unruh Civil Rights Act and attorney's fees and		
21	costs;		
22	WHEREAS, despite follow-up efforts by Plaintiff, Defendants have not yet responded		
23	to the monetary demand;		
24	WHEREAS, as the Parties are in agreement as to the appropriate injunctive relief,		
25	pending the May 2, 2023 settlement conference, they have not undertaken discovery relating to		
26	Plaintiff's claims apart from initial disclosures and Plaintiff's inspection of the subject property		
27	pursuant to Federal Rule of Civil Procedure 34;		

Case 1:22-cv-00147-JLT-EPG Document 21 Filed 03/30/23 Page 3 of 5

1	NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties			
2	through their respective attorneys of record, that in order to promote a full settlement of this			
3	matter, good cause exists to modify the Scheduling Order and continue the Mid-Discovery			
4	Status Conference as follows:			
5		Old Date	New Date	
6	Nonexpert Discovery Cutoff	May 26, 2023	July 28, 2023	
7	Expert Disclosure	June 9, 2023	August 11, 2023	
8	Rebuttal Expert Disclosure	June 23, 2023	August 25, 2023	
9		L-L- 21 2022	Santanala an 20, 2022	
10	Expert Discovery Cutoff	July 21, 2023	September 29, 2023	
11	Mid-Discovery Conference	Date: April 4, 2023 Time: 11:00 a.m.	June 6, 2023 or later at the Court's convenience	
12		Dept. 10		
13	Dispositive Motion Filing	September 1, 2023	December 1, 2023	
14	Deadline:	-		
15	Pretrial Conference	Date: January 12, 2024	March 8, 2024 or later at the	
16		Time: 1:30 p.m. Dept. 4	Court's convenience	
17	Jury Trial	Date: March 12, 2024	May 14, 2024 or later at the	
18		Time: 8:30 a.m.	Court's convenience	
19		Dept. 4		
20	IT IS SO STIPULATE	ED.		
21				
22	Dated: March 28, 2023	MOORE LAW FII	RM, P.C.	
23				
24		<u>/s/ Tanya E. Moore</u> Tanya E. Moore	2	
25		Attorney for Plaint	iff,	
26		Darren Gilbert		
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Case 1:22-cv-00147-JLT-EPG Document 21 Filed 03/30/23 Page 4 of 5

1	Dated: March 28, 2023	VAUGHAN & ASSOCIATES LAW OFFICE, APC
2		
3 /s/ Cris C. Vaughan Cris C. Vaughan		<u>/s/ Cris C. Vaughan</u> Cris C. Vaughan
4		Khushpreet R. Mehton Attorneys for Defendants,
5		Mohamed N. Zokari individually and dba Nunes Market, and Tina Zokari
6 7		Market, and Thia Zokan
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Case 1:22-cv-00147-JLT-EPG Document 21 Filed 03/30/23 Page 5 of 5

ORDER 1 Based on the parties' stipulation (ECF No. 20), IT IS ORDERED that the scheduling 2 3 order (ECF Nos. 9, 16) is modified as follows: New Date 4 Old Date 5 Nonexpert Discovery Cutoff May 26, 2023 July 28, 2023 6 Expert Disclosure June 9, 2023 August 11, 2023 7 Rebuttal Expert Disclosure June 23, 2023 August 25, 2023 8 **Expert Discovery Cutoff** July 21, 2023 September 29, 2023 9 Date: June 6, 2023¹ Mid-Discovery Conference Date: April 4, 2023 10 Time: 11:00 a.m. Time: 11:00 a.m. 11 Dept. 10 Dept. 10 12 Dispositive Motion Filing September 1, 2023 December 1, 2023 13 Deadline: 14 Pretrial Conference Date: January 12, 2024 Date: April 1, 2024 Time: 1:30 p.m. Time: 1:30 p.m. 15 Dept. 4 Dept. 4 16 17 Jury Trial Date: March 12, 2024 Date: June 4, 2024 Time: 8:30 a.m. Time: 8:30 a.m. 18 Dept. 4 Dept. 4 19 20 For the June 6, 2023 mid-discovery status conference, at least seven (7) days before the 21 conference, the parties are reminded to file a joint report. (ECF No. 9, p. 3). 22 IT IS SO ORDERED. 23 UNITED STATES MAGISTRATE JUDGE Dated: **March 29, 2023** 24 25 26 27

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¹ The Court's March 28, 2023 minute order continued the mid-discovery status conference to May 24, 2023, at 11 a.m. (ECF No. 19). However, the Court will continue the conference to June 6, 2023, at 11 a.m. to accommodate the parties' requested date.